

Amendments to the Specification:

Please replace paragraph [0005] with the following amended paragraph:

[0005] ~~It is the object of the invention to provide~~ In one object of the present teachings, it is desired to provide an actuation device for a flap or wall element, ~~in particular~~ which operates, e.g., with a variable convertible top receptacle that is variable in size, which actuation device is preferably compact, requires less little installation space and is ~~cheaper~~ cost-effective.

Please replace paragraph [0007] with the following amended paragraph:

[0007] ~~The concept underlying the invention is to replace~~ In one aspect of the present teachings, actuation mechanisms, which utilize ~~these~~ pneumatic springs, can be replaced with a device, ~~by means of which device, on the one hand, that assists or supports at least a portion of the movement of the top receptacle can be assisted~~ flap or wall element from the first position into the second position and vice versa and ~~on the other hand, the latching is also preferably capable of performing a flap- or wall-retaining function can concurrently be undertaken~~ in the respective end positions. ~~By means of the fixedly borne~~ If one end of the spring element is stationary during the pivoting movement of the wall or flap element, it is not necessary to provide any ~~movement~~ space for pivoting of the end of the spring element and a bracket (if provided) supporting the spring element, ~~respectively~~. Rather, the spring element can be compactly mounted at a location in the rear area of the vehicle, where ~~at which~~ the spring element can be accommodated with little interference.

Please replace paragraph [0008] with the following amended paragraph:

[0008] ~~By the term "fixed bearing", a bearing is to be understood, by which~~ As noted above, one end of the spring element is mounted so as to be stationary during the pivoting of the flap or wall element, preferably such that translational movements as well as rotational movements of the one end of the spring element at the bearing mounted position are excluded. If the bearing mounted position is provided, e.g., on the rear lid of the motor vehicle, it is

understood that the spring element and/or the bracket (if provided) holding the spring element is (are) movable together with the rear lid, but is (are) not movable relative ~~thereto~~ to each other. Moreover, an elastic deformation or deflection of the spring element is possible by applying force to the spring element. ~~Because~~ If for example the spring element traverses a point of maximum deflection along the path of the wall or flap element when it pivots between its first and second position, which deflection is generated by an interaction with the wall or flap element, the restoring force of the spring element is likewise a maximum at the point of maximum deflection. In fact, similar to the above-described known gas-spring actuation device, the present spring element ~~biases counter~~ imparts a counterbias to the movement direction at the beginning of the movement path of the wall or flap element, so that, in addition to the weight of the top receptacle, the spring force must be overcome until the point of maximum deflection is reached. However, the restoring force of the spring element then functions in an assisting manner, so that ~~it~~ the restoring force of the spring element assists the further movement of the wall or flap element ~~due to its restoring force~~ and ultimately holds the wall or flap element in the end position. The ~~locking force~~ wall- or flap-retaining function of the spring force is based upon the fact that the force of the spring ~~force~~ element must be again overcome ~~during a movement in~~ order to move away from the end position.

Please replace paragraph [0009] with the following amended paragraph:

[0009] An essentially unbiased or undeformed state in the first and second position of the wall element, i.e. in the end positions of the wall element, means that, in these positions, the spring element has the least amount of deformation or deflection ~~in these positions~~; that it experiences ~~the deflection~~ along the path between the first and second position. Thus, this also includes a state, in which a biasing of the spring element is provided, wherein this biasing, however, represents the minimal value of the deflection or deformation and/or the restoring force along the path between the first and second position. Such a biasing is desirable in order to prevent an unintended release of the wall element from the respective end positions.

Please replace paragraph [0025] with the following amended paragraph:

[0025] ~~The essential aspect of the invention thus lies in replacing~~ Thus, in such an embodiment, a relatively costly construction of an actuation mechanism that is assisted by a pneumatic spring can be replaced with a simpler device that simultaneously undertakes the function of a latch in the end positions.